

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KENNETH KRYS and CHRISTOPHER STRIDE as :
Joint Official Liquidators of SPHINX LTD., *et al.*, :
Plaintiffs, : Index No. 08 Civ. 3065
-against- :
: **NOTICE OF MOTION**
CHRISTOPHER SUGRUE, *et al.*, :
Defendants. :
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PLEASE TAKE NOTICE that, upon the affidavit of Brian H. Brick, sworn to April 2, 2008, and the exhibits thereto, the accompanying memorandum of law, and upon all the pleadings and proceedings had herein, defendant Bank für Arbeit und Wirtschaft und Österreichische Postsparkasse Aktiengesellschaft (“BAWAG”) will move this Court at the United States Courthouse located at 500 Pearl Street, New York, New York for an order, pursuant to 28 U.S.C. § 157 and the July 10, 1984 standing order of reference to bankruptcy judges signed by then-Acting Chief Judge Robert J. Ward, referring Counts XXIV, XXV, and XXVII of the complaint in the above-captioned action as alleged against BAWAG to the United

States Bankruptcy Court for the Southern District of New York and granting such other and further relief as this Court may deem just and proper.

Dated: New York, New York
April 2, 2008

DECHERT LLP

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